IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET

CIVIL APPLICATION NO.3963 OF 2006
IN
FIRST APPEAL NO.1021 OF 2006

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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Mr.R.S.Kate i/b Mr.Vikas Mahangare for the Applicant
Ms A.B.Barve for the Respondent

CORAM: A.S.OKA, J.
DATE : FEBRUARY 20,2007.

P.C.:

1. Heard Advocates for the parties. The prayer in this Application is for withdrawal of the decretal amount deposited by the Appellant with the tribunal. The said prayer is opposed by the learned Advocate for the Applicant.

2. Considering the facts and circumstances of the case, withdrawal of the amount will have to be permitted subject to the Applicant furnishing adequate security for the said amount. Hence, Application is disposed of by passing the following order :

i) The Applicant is permitted to withdraw the decretal amount subject to furnishing adequate security to the satisfaction of the learned Member of the Tribunal.

ii) The learned Member of the Tribunal will hear the Appellant in the First Appeal before accepting the security.

iii) If the amount is not withdrawn within a period of six months from today by furnishing adequate security, the Tribunal will invest the same in fixed deposit in any nationalised bank initially for a period of three years and the fixed deposit shall be renewed on yearly basis till the final disposal of the Appeal.

JUDGE